

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MOBILE EQUITY CORP.,

Plaintiff,

v.

WALMART INC.,

Defendant.

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Case No. 2:21-cv-00126-JRG-RSP

ORDER

Defendant Walmart Inc. previously filed a Motion for Summary Judgment of Non-Infringement With Respect To (1) Claims 6-9, 13, and 15-19 of the '236 Patent; (2) Claims 2, 4, 5, 7, 9-12, and 15-30 of the '058 Patent; (3) Doctrine Of Equivalents; (4) Contributory Infringement; and (5) Induced Infringement (“Walmart’s Motion”) (Dkt. No. 196.) Plaintiff Mobile Equity Corp. previously filed a Motion for Summary Judgment for No Failure to Mark under 28 U.S.C. 287 (“Mobile Equity’s Motion”) (Dkt. No. 200.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 364), recommending denying Walmart’s Motion and granting Mobile Equity’s Motion. Because no objections have been filed and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Walmart’s Motion (Dkt. No. 196) is **DENIED** and Mobile Equity’s Motion (Dkt. No. 200) is **GRANTED**.

So ORDERED and SIGNED this 28th day of September, 2022.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE